

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Marchitto et al.

ART UNIT:  
3767RECEIVED  
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APR 28 2009

FILED: March 24, 2004

EXAMINER:  
Witczak, Catherine

SERIAL NO.: 10/808,108

DOCKET:  
D6476CIP

FOR: Microsurgical Tissue Treatment System

*MS Non-Fee Amendment*  
 Commissioner of Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION

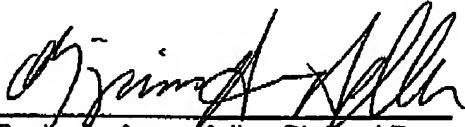
I certify that this Response to Restriction Requirement, Petition for Extension and Form PTO 2038 was transmitted via facsimile to Examiner Catherine Witczak at 571-273-8300 on the date below:

Date: Apr 28, 2009
  
 Benjamin Aaron Adler, Ph.D., J.D.
RESPONSE TO RESTRICTION REQUIREMENT AND AMENDMENTS

Dear Sir:

In response to the Restriction Requirement, mailed April 3, 2009, Applicants elect Group 2, claims 34-52 drawn to a method of treating tissue, without traverse. The elected subject matter encompasses claims 34-52.

Respectfully submitted,

Date: Apr 28, 2009
  
 Benjamin Aaron Adler, Ph.D., J.D.  
 Registration No. 35,423  
 Counsel for Applicant

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